IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 6561 of 2006

Dated Fourth April, 2006

Between

Kum. Y.Gayathri ….Petitioner

And

The Vice Chancellor, NTR University of health Sciences,

AP, Vijayawada and others

…Respondents.

THE HONOURABLE SRI JUSTICE R. SUBHASH REDDY

WRIT PETITION NO. 6561 OF 2006

ORDER:

In this Writ Petition, the petitioner has questioned the validity of the order dated 19-12-2005 in proceedings No.E6/BPT/1168 MP/2005-I, passed by the Vice Chancellor, NTR University of Health Sciences, Vijayawada, first respondent herein, disqualifying her from writing any university examination for a period of two years, i.e.,up to June, 2007. The said order is passed as a measure of punishment on the

ground that the petitioner has indulged in malpractice while writing examinations held in June, 2005 at P.R.R. College of Physiotherapy, Cuddapah. The petitioner has subsequently joined in Venkata Padmavathi College of Physiotherapy, Tirupathi. It is the case of the petitioner, that punishment imposed is disproportionate to the alleged malpractice and she is facing hardship by virtue of the said order. It is submitted that in similar cases, the respondent-University authorities have issued Memo dated 29-10-2005 disqualifying the candidates only for a period of one year.

From the impugned order, it is clear that for the alleged malpractice, a case was registered against the petitioner in the examinations held in June 2005. By virtue of the impugned order, the petitioner will be eligible to write examinations from July, 2007. Prima facie, it appears that punishment imposed is harsh. However, it is stated that the impugned order passed is only to maintain discipline in the academic institutions. It is submitted by the learned Counsel for the petitioner, that the representation dated 23-2-2006 filed by the petitioner, in this regard, before the first respondent-Vice Chancellor is pending consideration. Inasmuch as the Vice Chancellor is the principal executive of the University having control over the affairs of the University, I direct the first respondent to consider the representation of the petitioner dated 23-2-2006 and pass appropriate orders within a period of two weeks from the date of receipt of this order. The petitioner shall make available a copy of the representation dated 23.2.2006 along with the order of this court to the First respondent-Vice chancellor.

Subject to the above direction, the Writ Petition is disposed of at the admission stage.

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JUSTICE R. SUBHASH REDDY

DATED: 04-04-2006

CC today

(BO)Msnr.